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UNCLAS SECTION 01 OF 02 HARARE 001827

SIPDIS

SENSITIVE

STATE FOR AF/S, AF/EX  
NSC FOR SENIOR AFRICA DIRECTOR JFRAZER  
LONDON FOR CGURNEY  
PARIS FOR CNEARY  
NAIROBI FOR PFLAUMER

E.O. 12958: N/A

TAGS: [PGOV](#) [PHUM](#) [EAGR](#) [ECON](#) [ZI](#)

SUBJECT: JUSTICE FOR AGRICULTURE -- TOO LITTLE, TOO LATE

REF: HARARE 1819

1. (SBU) Summary. Laboff attended the inaugural meeting of the JAG on Tuesday, August 6. This group was formed by some of the more confrontational members of the Commercial Farmers Union (CFU) in response to CFU members' perception that the organization was too conciliatory. The initial act of JAG was to file suit against the GOZ on behalf of commercial farmers, citing multi-billion dollar damages. Claiming a mandate originating from the Universal Declaration of Human Rights as adopted by Zimbabwe, JAG purports to represent the interests of commercial farm owners, farm workers, and agricultural ancillary industries, and proclaims the mission of securing justice, peace and freedom for the agricultural sector. In actuality, the main purpose of the JAG seems to be publicizing developments in the ongoing land struggle in the hope of spurring somebody -- whether Zimbabweans or outside interests -- to intervene in the continuing destruction of the commercial agricultural sector. End summary.

2. (SBU) The membership of the JAG comprises a wide variety of constituencies: farmers who seek more confrontation with the GOZ, member of various civic groups, community activists, and public relations specialists. The emergence of a confrontational group at this stage of the game is indicative of the deep divisions between members of the CFU as to the best way of addressing the disaster which has decimated their industry. Some reports indicate that the farmers who have embraced JAG include those whose views are skewed far to one side as well as those who have already been forced off their land and have nothing more to lose. According to contacts within the CFU, the parent organization has chosen not to deal with JAG because the CFU remains committed to dialogue, and any suggestion of complicity will taint their posture of continued cooperation.

3. (SBU) The tone of the inaugural meeting of JAG was defiant yet determined. Several speakers addressed the crowd, which numbered about fifty participants from various groups -- commercial farmers, civic society, and the diplomatic corps. The first speaker, a local attorney, sympathized with the goals of the group but delivered a good-luck-you're-going-to-need-it message. He bluntly told the group that regardless of whether or not their litigation was successful, the GOZ would not recognize a judgment since President Mugabe has already announced that the government will only honor judgments which it determines to be appropriate. Given the long and painful process of land acquisition and reallocation, it is incredibly unlikely that the GOZ would actually pay out in accordance with a judicial determination that the program was flawed. However, the advocate supported both the legal right and the moral obligation of JAG to proceed with a judicial challenge.

4. (SBU) The second speaker, an economist, outlined the cataclysmic impact that the chaotic land acquisition exercise is having on the economy as a whole. According to his perspective, the government must "spend a large fortune in order for 'resettled farmers' to earn a small fortune." Of course, there is no indication of where the necessary funds -- conservatively estimated to run at over Zim \$300 billion, or over US \$434 million, annually -- will be found.

5. (SBU) The final speaker was the director of Amani Trust, who acknowledged that widespread famine, which would significantly affect displaced farm workers, was the inevitable result of the mismanaged "agrarian reform" program. He premised his presentation on the theory that famines do not happen in the absence of bad governance, and stated his belief that since the ruling party was not demonstrably incompetent, they must be governing badly with the intention of subverting the "democracy process." He reiterated the oft-heard refrain that the way forward required civil society to recognize the political illegitimacy of the ruling party, to demand constitutional reforms, and to hold free and fair elections.

16. (SBU) Comment: One eloquent comment from a member of the Zimbabwe branch of Transparency International, a good governance group, noted that in order to move forward, civil society must address the problem in context. Specifically, he stated that civil society needed to address how commercial farming emerged in Zimbabwe, as well as why a return to small-scale peasant farming will no longer work in the 21st century. Other than this well-accepted observation, most of the presentations covered familiar ground. Although many members of JAG seemed energized by the fact that they were finally responding and doing something -- anything -- there seemed to be a muted realization that whatever steps they took were ultimately too little and too late. End comment.

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